

09/123,614



12032

*Handwritten signature/initials over the number 12032.*

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	Group Art Unit: 3763
	)	
MIDDLEMAN et al.	)	Examiner: Cris Rodriguez
	)	
Serial No.: 09/123,614	)	
	)	
Filed: June 28, 1998	)	
	)	
For: Device for Anchoring Tubular	)	
Element	)	Pasadena, California

**REQUEST FOR CORRECTED FILING RECEIPT  
(PATENT AND TRADEMARK OFFICE ERROR)**

BOX CPA  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Attn: Office of Initial Patent Examination  
Customer Service Center

RECEIVED  
NOV - 6 2000  
TC 3700 MAIL ROOM

Dear Sir:

Enclosed with this request is a copy of the Filing Receipt for the above-identified United States patent application. Please note the name "Sheldon & Mark" in the correspondence address is misspelled. The name of Applicant's law firm is "Sheldon & Mak."

"EXPRESS MAIL" mailing label number EL121766532US Date of Deposit **October 30, 2000**  
I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to Box CPA, Assistant Commissioner for Patents, Washington, D. C. 20231.

*Elaine Porter*  
Signature

ELAINE PORTER  
Typed or Printed Name of Person Mailing Paper

In other words, please remove the "r" between the "a" and the "k" of the second name.

Also, please change the attention line of the correspondence address from  
"Karin E. Peterks" to "David A. Farah, M.D."

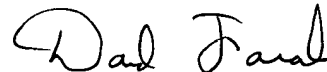
No fee is believed due in connection with this communication. However, if any  
fee is owed, the Commissioner is hereby authorized to charge payment of the fee associated  
with this communication to Deposit Account No. 19-2090.

Respectfully submitted,

SHELDON & MAK

Date: October 30, 2000

By:



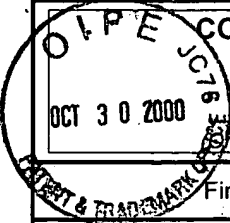
David A. Farah, M.D.

No. 38,134

SHELDON & MAK  
225 South Lake Avenue, Suite 900  
Pasadena, California 91101  
626/796-4000

11-01-00

CPA/6A1-3763

 <p><b>CONTINUED PROSECUTION APPLICATION (CPA)</b>  <b>REQUEST TRANSMITTAL (Large Entity)</b>          Submit an original, and a duplicate for fee processing.  <i>(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))</i></p>		<p>Docket No. <b>12032</b></p> <p><input type="checkbox"/> <b>DUPLICATE</b> (Check box if applicable)</p>	
First Named Inventor	Examiner	Group/Art Unit	
Lee M. MIDDLEMAN	Cris Rodriguez	3763	

Address to:  
 Assistant Commissioner for Patents  
 Box CPA  
 Washington, D.C. 20231

This is a request for filing a ☐ continuation, or ☐ divisional application under 37 CFR 1.53(d), ☒ continued prosecution application (CPA) of prior application number 09/123,614 filed on July 28, 1998 and entitled:

**Device for Anchoring Tubular Element**

1. ☐ Enter the unentered amendment previously filed on \_\_\_\_\_ under 37 CFR 1.116 in the prior nonprovisional application.

2. ☒ A preliminary amendment is enclosed.

3. ☐ This application is being filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).

a. ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:

b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.

4. ☐ A new power of attorney or authorization of agent is enclosed.

5. ☐ An Information Disclosure Statement (IDS) is enclosed:

a. ☐ PTO-1449

b. ☐ Copies of IDS Citations

6. ☒ The fee for this application is calculated as follows:

CLAIMS AS FILED					
For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	44	- 20 =	24	x \$18.00	\$432.00
Indep. Claims	4	- 3 =	1	x \$80.00	\$80.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
<b>BASIC FEE</b>					\$710.00
<b>TOTAL FILING FEE</b>					<b>\$1,222.00</b>

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 NOV - 6 2000  
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 11/02/2000 YPOLITE1 00000024 09123614  
 01 FC:131 710.00 OP  
 02 FC:102 80.00 OP  
 03 FC:103 432.00 OP

**CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Large Entity)**  
**(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))**

7. ☒ The Commissioner is hereby authorized to credit overpayments or charge the following fees to  
Deposit Account No. 19-2090

- ☒ fees required under 37 C.F.R. 1.16.
- ☒ fees required under 37 C.F.R. 1.17.
- ☐ fees required under 37 C.F.R. 1.18.

8. ☒ A check in the amount of \$1,222.00 is enclosed.

9. ☒ Also enclosed:

Petition for Extension of Time (2 months)  
Request for Corrected Filing Receipt

10. ☐ The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below:

David A. Farah, M.D.  
Sheldon & Mak  
225 South Lake Avenue  
9th Floor  
Pasadena, CA 91101

**CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Large Entity)**  
**(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))**

**NOTES**

**Submit an original, and a duplicate for fee processing.**

**FILING QUALIFICATIONS:** The prior application must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 USC 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

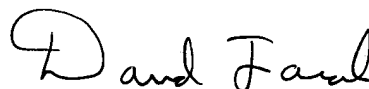
**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. 1.53(d), but must be filed under 37 C.F.R. 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. 1.53(b) must be used to file a continuation, divisional or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the Applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or application in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 C.F.R. 1.78(a).

Dated: October 30, 2000

  
Signature

David A. Farah, M.D.

Typed or printed name

38,134

Registration Number (if applicable)

- ☐ Inventor(s)  
☐ Assignee of complete interest  
☒ Attorney or agent of record

cc: